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EVELYN NESBIT THAW TAKES STAND IN HUSBAND'S DEFENSE

She Tells of the Night of the Murder of Stanford White and Incidents in Her Life, Her First Meeting With White and Her Courtship With Thaw.

She Was Pale and Trembling When She Took the Witness Chair and for the First Time During the Trial Lifted Her Veil and Let Her Features be Seen--Some of the Testimony Given by the Little Wife Was of a Very Sensational Nature--Scenes Which Occurred in the Studio Pictured by the "Flower Girl."

New York, February 7.—While the Thaw jury was walking from the hotel to the court building this morning abreast a group of snow shovelers, Thomas Palmer, a street cleaner, yelled, "Now, boys, go to it, get together and acquit Thaw." The street cleaner was arrested and brought into court for arraignment. Judge Fitzgerald severely reprimanded and disbarred him.

"Call Mrs. Evelyn Nesbit Thaw," said Delmas, after court had convened.

"Pale and trembling, she came forward to the witness chair. Her veil was lifted for the first time. She told of dining at cafe Martin with her husband and some friends. She said she saw Stanford White enter the cafe by the Fifth avenue entrance and go out the same way about an hour later. She wrote a note and handed it to Thaw.

"I will ask you if this note contained any reference to White," asked Delmas.

The girl answered in the affirmative before Judge could object. The objection was sustained and the answer ruled out.

Mrs. Thaw said their party left cafe Martin and went to the roof garden, not reaching there until the end of the first act. Evelyn said that while the party was seated at the table, Harry left the table and was gone about a half hour. When he returned his manner was natural. Later the party arose and started to leave the theatre. She described the shooting as other witnesses have done.

Continuing she said she married Thaw in Pittsburg in 1903. Thaw first proposed to her in Paris in June of 1903, when she refused to marry him.

"He came to me in Paris and told me he loved me and wanted me to marry him. I stared at him and he asked, 'Don't you care for me?' 'Yes,' I replied. He then asked me the reason for my refusal.

"Is it because of Stanford

of the bed. I screamed again and sat up in bed and then there was music all around the room."

The girl wept as she told her story and tears fell on her dress. Harry Thaw cried and held a handkerchief to his eyes during the recital of his wife's shame.

"I screamed again and again and White told me to be quiet," said Evelyn. "Then White said he liked young girls and that ones and that I must never get fat. He told me I must never tell anyone, not even my mother."

"Did Thaw renew his offer of marriage after hearing of that," asked Delmas.

"Not that night. He said I was a poor unfortunate girl, but that he did not think any less of me than he had before."

Evelyn with her face bathed in tears said that two months after the first proposal, Harry renewed his offer of marriage.

"I told him if he married me his friends might laugh at him. At this time it was already said, openly, among theatrical people I was going with White."

Evelyn told of her early life in Pittsburg and her struggles as an artist's model in Philadelphia and New York. "I finally got a letter of introduction to Fisher, a theatrical manager. I thought I could double my earnings by working nights on the stage. I went to the theatre and somebody told me there that they were not a baby farm and if they took me, they might get into trouble with the Gerry society. I was finally ushered upstairs and engaged."

The witness said she first met Thaw in 1901. Thaw told her she was too young to go on the stage and wanted to send her brother to school. A long time elapsed before she saw Thaw again, said the witness. Mrs. Thaw told Harry, that White had sent her to school.

"While in school I had to undergo an operation. This was in the early part of 1903. The doctors came and told me I would have to be etherized. I was so sick. Thaw came into the room and, kneeling down beside the bed, kissed my hand. Then he left the room."

After her recovery arrangements were made with Thaw for her and her mother to go to Europe.

After arguments over the admission of a letter from Thaw, which was brought back from Europe with her, Jerome, moved a recess be taken, saying the witness had undergone a severe ordeal and he wished to extend to her every courtesy. A recess was taken until 2 o'clock.

Reeling and clutching at the wall Evelyn made her way to the ante-room with the help of court officers, where she fainted, but soon recovered.

SUSPECT IS HELD FOR MURDER OF DR. TOWNSEND

New York, Feb. 6.—The inquest into the death of Dr. Charles W. Townsend who was shot while in

bed in New Brighton, on January 27, and later died from his wounds, resumed yesterday in John Bell, a street car conductor of Brooklyn, being formally declared the man who fired the shot. Bell took the verdict calmly.

ENGINEER AND TWO MAIL CLERKS KILLED

Freeport, Ill., Feb. 7.—Martin Cline, engineer, and two mail clerks were killed and several persons injured this morning when a Chicago and Great Western passenger train was wrecked at German Valley.

JURY SAYS SIMPSON NOT GUILTY OF MURDER

Riverhead, L. I., Feb. 7.—A verdict of "not guilty" was brought in by the jury today in the case of Dr. James W. Simpson, on trial for the murder of his father-in-law, Bartley T. Horner.

SCHOONER WRECKED

No Trace of the Three Master Which was Ashore on Diamond Shoals.

Norfolk, Va., Feb. 7.—The three masted schooner which was reported ashore on Diamond Shoals, off Cape Hatteras, yesterday, went to pieces last night and no trace of her has been seen this morning. The crew, numbering probably ten, has undoubtedly perished. Nothing is known as to the name or destination.

CHARGE OF MANSLAUGHTER

Placed Against Attendants at Athens State Hospital by Prosecuting Attorneys.

Columbus, O., Feb. 7.—When asked today what action he would take on the death of the patient William Barnes in the Athens State Hospital, Governor Harris said:

"Since the coroner and prosecutor have taken hold of the matter I shall do nothing for the present, at least, but will keep an eye on the investigation with a view to determining whether or not any blame attaches to the officers of the institution."

Warrants have been sworn out for the attendants implicated, last night on a charge of manslaughter by prosecuting Attorney Foster of Athens. The attendants claim the patient became unruly and fell on a recently oiled floor, striking his head and side against the bed. Death ensued by the time a doctor arrived.

MUTINY OCCURS ON BOARD THE CRUISER TENNESSEE

One Officer is Killed and Two Men are Wounded in the Fight Which Followed--The Affair is an Echo of the Trip to Panama.

Sailors Rebelled When They Were Ordered to be Ironed and Thrown into the Brig--They Claim That the Officers Have Been Harsh With Them and That the Trouble Began With a Desire to Show off Before the President When the Cruiser Made its Recent Trip to Panama.

Philadelphia, February 7.—Mutiny on the armored cruiser Tennessee at League Island resulted in the shooting of two petty officers by an enraged seaman and the wounding of the latter. Those shot are: Chief Master-at-Arms James Douglas, aged 45 years, bullet penetrated brain, and two petty abdominal wounds.

Master-at-Arms William McCool, flesh wounds on face and arm.

Harry Burke, aged 24 years, seaman, shot through the left wrist. Douglas will die, but the injuries of the others are comparatively slight.

Burke, the alleged ringleader of the mutiny, was placed in irons, and two other sailors, Lannus and Dean,

Arms. The latter has been the special object of the crew's dislike. At noon Burke, Dean and Lannus were brought before the Master for sentence. After sentence had been pronounced by Lieutenant Fields, executive officer of the Tennessee, Douglas was ordered to shackle the trio and put them in the brig again. Douglas, according to sailors who saw the affair, acted in a brutal manner, and when they remonstrated he struck Lannus. He had them covered with a revolver, and declared he would shoot the first man who moved. Notwithstanding this, Burke, as Douglas raised his hand to strike a second blow, seized his arm. A scuffle followed, during which the revolver was discharged, wounding Burke in the wrist. He held on, however, and finally succeeded in gaining the revolver. Master-at-Arms McCool ran to the assistance of Douglas, and seeing that he was about to be overcome, Burke fired three times at Douglas and the remaining ball at McCool. The petty officers called for help, but the seamen yelled, "Give 'em h—l," and when the bugle called for assembly were united none of the men paid the slightest attention to it.

The mutiny call was then sounded and this brought a detachment of marines from the barracks, a quarter of a mile away, double quick time to the ship.

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SAY BOYS STOLE AN L. E. & W. LOCOMOTIVE

Lima, Ohio, Feb. 7.—Charged with stealing a Lake Erie and Western locomotive piece by piece, five Lima boys, all under the age of 16—Hoddy Shaffer, Delbert Tabler, Raymond Pearson, Harry Watt and Floyd Knittle—are confined in the County Jail pending the trial in the Probate Court.

The locomotive had been run onto a side track in the yards, awaiting repairs at the shops before it could be sent out on the road again. The boys are said to have made raids on it at night. The railroads have been heavy losers from brass thieves and will make strenuous efforts to break up the gang.

WILL HOLD PROPERTY

Japanese Refuse to Restore \$500,000 to the Russian Red Cross.

Chifoo, Feb. 7.—The Japanese authorities to whom the Russian Red Cross entrusted its property after the capitulation of Port Arthur, refuse to restore it. The property is valued about \$500,000, and the Japanese refuse to regard the Red Cross as a private institution.

NEGOTIATIONS BETWEEN STATE AND VATICAN PROGRESSING

Differences in France May be Adjusted at an Early Date and the General Impression is That the Government will Yield to the Vatican.

Paris, Feb. 7.—Although the word "negotiations" between church and state is avoided, indirect pour parlars are progressing rapidly under cover of the statements issued by various prelates as to what they are prepared to accept, to which Minister of Education Briand replied by means of circulars to the local officials, indicating the desires of the government. M. Briand points out in this method that the desires of the government are subject to a modification to suit local circumstances or the wishes of the contracting parties, so long as there is no departure from legality.

The latest move toward a settlement between the government and the Vatican has taken the form of model contracts issued last night. In these the minister of education proposes to meet the case of the individual preachers or the Common Law association in taking over a church from the commune, when it is municipal property, or from the prefect when it belongs to the state.

The contracts declare that "the prefect or mayor, the latter acting on the authorization of the municipal council, grants to the clergymen or to the association, the name to be inserted, the gratuitous use of the church and its contents for 18 years,

on condition that the property be kept in proper repair. This contract may be annulled should worship be discontinued for six consecutive months, unless by force majeure."

Where a clergyman becomes the lessee, a clause is inserted showing that he is acting under the authorization of his bishop. In the event of this clergyman becoming disqualified to carry out the ceremonial of the Catholic religion, the sanction of the authorities is required before his successor can take up the lease.

Should an association lease a church, a stipulation is made that the edifice must be placed at the disposal of a qualified Catholic clergyman and the name of the first priest must be inserted. It is not necessary, however, for an association to obtain the approval of the civil authorities for the appointment of a successor to this priest in the event of disqualification, death or removal.

In the clergy accept the contracts suggested by M. Briand, they will virtually be assured for as long as they obey the law, of the permanent and gratuitous enjoyment of all property held by the church under the concordat, while at the same time the authority of the hierarchy is recognized.

WILL DEDICATE THE M'KINLEY MONUMENT IN SEPTEMBER

The Day is Expected to be the Occasion for the Gathering of a Great Throng in Canton--Association in Charge of the Work Lays its Plans.

Washington, Feb. 9.—Arrangements for the dedication ceremonies incident to the unveiling of the monument to the late President McKinley at Canton, O., the latter part of next September, and plans for carrying of the great throngs that are expected to be present on that occasion, were among the matters considered at a meeting of the McKinley Memorial Association at the Arlington hotel in this city yesterday.

The meeting which was behind closed doors, was presided over by Justice Day, president of the association. The reports of the treasurer, Myron T. Herlick, of Ohio, as to the money collected for the erection of the monument and the disbursements and of the secretary, Frederick S. Hartsell, of Canton, O., relating to the business transactions of the association were read and approved. The report of the architect, H. Van Huren Macgonigle of New York was considered. His report showed

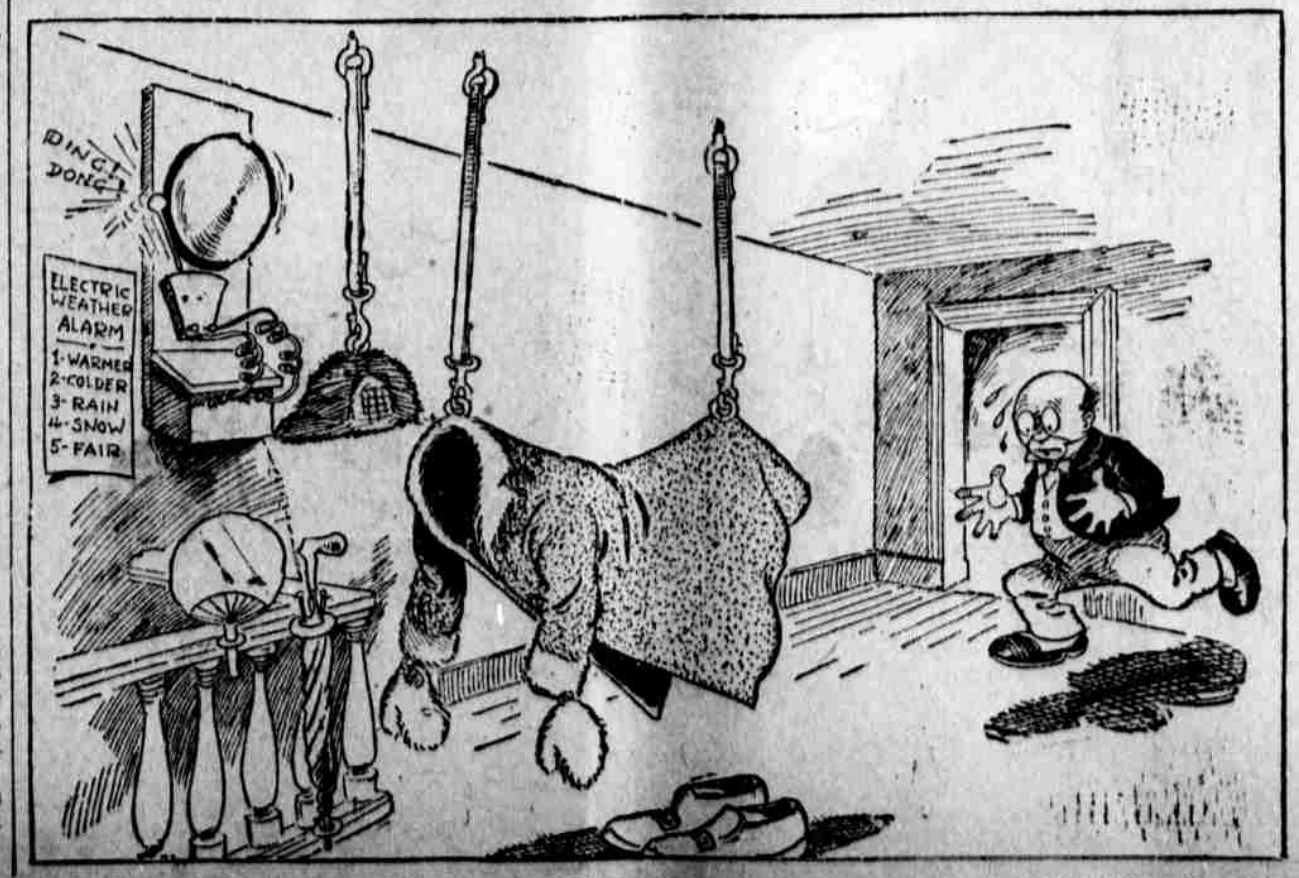
that satisfactory progress is being made toward the completion of the monument. He made recommendations for improvements in the monument grounds, such as planting of trees and grading, which were approved.

A committee of three from Canton, headed by Mayor Turnbull, laid plans before the association concerning the dedication ceremonies and the facilities for handling the crowds on that occasion. It was decided to perfect such arrangements at the next meeting of the association in Canton next June.

Appropriate action was taken upon the death of one of its trustees, M. A. Lynch, which occurred at Canton yesterday. A telegram was sent to the family of the late colleague, expressing sympathy and a committee was appointed to draft suitable resolutions.

A dinner in honor of the members of the association was given last night by the vice president and Mrs. Fairbanks at their residence.

WHY NOT BE PREPARED FOR SUDDEN CHANGES?



—Jamieson in Pittsburg Dispatch.

DEAD HAND HELD THROTTLE OF CONGRESSIONAL LIMITED

Train Rushed by a Station at a Terrific Rate and When the Fireman Made an Investigation He Found the Engineer Dead.

Philadelphia, Pa., Feb. 7.—The Congressional Limited train on the Pennsylvania railroad, which leaves Washington for New York at 4 o'clock, ran through this city last night at terrific speed with the engineer, Joseph Toms, dead at the throttle.

The train, which was made up of seven buffets, dining and parlor cars, makes two stops in this city, one at West Philadelphia and the other at North Philadelphia.

Shortly after the train left West Philadelphia, the fireman, Harry Michner, noticed the speed of the train was unusual. Michner called to Toms, but received no answer

and when the train rushed through Fairmont park and neared North Philadelphia the fireman clambered over the big boiler into the engineer's cab to find Toms dead with his hand on the throttle. His head was hanging out of the cab window and had been crushed by striking some object along the road.

Michner supported the dead engineer on his arm and brought the train to a stop at North Philadelphia where a new engineer was secured and the train proceeded to New York.

The passengers were not told of the accident. Toms, the dead engineer, was 48 years old and lived to Toms, but received no answer